

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

FILED CIVIL NO. 03-2709-DP
JUN 1 2005

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HOME DESIGN SERVICES, INC.,

vs.

SPARKMAN HOME BUILDERS, LLC,
DANNY J. SPARKMAN, RICHARD L.
TILLMAN, JAN M. TILLMAN, NICK C.
LIBERATORE and ROBIN L. LIBERATORE,

ROBERT W. GORDON
CLERK, U.S. DIST. CT.
W.D. OF TENN. MEMPHIS

Case No. 03-2709 DP

Defendants.

MOTION TO EXTEND DEADLINE FOR MEDIATION

Comes now the Defendants, Nick C. Liberatore and Robin L. Liberatore, by and through their attorney of record, and respectfully moves this Court to extend the deadline for mediation regarding this dispute based upon the following facts:

1. All parties mutually agreed upon mediation that was duly scheduled for May 31, 2005 before mediator Clifton Lipman. A conflict has arisen which prevented these Defendants from being able to be in Memphis, Shelby County, Tennessee, on this mediation date, necessitating cancellation of the scheduled mediation.
2. All parties are in agreement that mediation should be pursued and all parties have agreed to be present and mediate the issues involved in this lawsuit on June 21, 2005 before mediator Clifton Lipman.

MOTION GRANTED

U.S. MAGISTRATE JUDGE

May 26, 2005
DATE

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 6-7-05

WHEREFORE, PREMISES CONSIDERED, Defendants, Nick C. Liberatore and Robin L. Liberatore, respectfully move this Court to extend the deadline regarding mediation to allow the parties to complete mediation of this case on June 21, 2005.

Respectfully submitted,

KIRKPATRICK AND MOORE


SCOTT L. KIRKPATRICK, III #7928
Attorney for Nick & Robin Liberatore
100 N. Main Bldg., Suite 2900
Memphis, TN 38103
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CERTIFICATE OF SERVICE

The undersigned hereby certify that a true copy of the foregoing Motion to Extend Time for Mediation has been mailed, via U.S. Mail, postage prepaid, to:

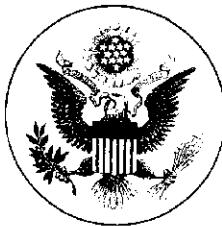
Mr. Jon D. Parrish, Esq.
3431 Pine Ridge Rd., Suite 101
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Ms. Lauren L. Holloway, Esq.
5100 Poplar Ave., Suite 501
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This 29 day of May, 2005



Scott L. Kirkpatrick, III



Notice of Distribution

This notice confirms a copy of the document docketed as number 57 in case 2:03-CV-02709 was distributed by fax, mail, or direct printing on June 7, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT